

October 15, 1985

Brussels: Notes for talks with Secretary Shultz

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Summary:

Strongly worded notes regarding the Italian actions during the Crisis of Sigonella. The brief document reiterates Italy's version of the facts related to the hijacking of Achille Lauro and the events that followed, denying any wrongdoing, and blaming the US for unlawful actions.

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- The expressions used vis-à-vis Italy are unrespectful and unjust. Both the fight against terrorism, and the relations between Italy and the United States and 40 years of experience, should have suggested a far different attitude.
- It was our duty -before having recourse to military operations, which always involve risks - to seek to convince the hijackers to desist from their plans. We never thought to obtain anything in return : we never asked Israel to free the Palestinians in its prisons and we never exposed Israel by placing upon it any responsibility.
- We asked the PLO and Syria to exert their influence, once both had stated their non-involvement and their condemnation for the attack.
- Should the Italian request not have been made, Abbas would have never gone to Cairo and Port Said.
- The safe-conduct proposed by Egypt in case the hijackers surrendered 48 hours after the attack immediately and unconditionally and without having wounded or murdered any person on board the ship was agreed upon by us and by other Governments.
- A military intervention, dangerous both for the soldiers involved and for the people on board the ship, was considered as the "extrema ratio".
- Once it was ascertained that there was one death, we immediately stated that we would ask the extradition of the hijackers. Egypt stated that they had already left the country.

- During the night, the Egyptian Ambassador to Rome asked the permission to let the plane land in Ciampino. No objection- However, the plane was forced to land in Sigonella (big mistake : it is the NATO airport of Comiso and it should not have been involved in this episode). In Rome we would have immediately arrested the 4 people.
- The refusal to hand them to the US : a "defacto" extradition would have been illegal according to our laws; and it is no use saying that it was requested by the President of the United States : the law is equal towards all people.
- Perhaps there has been some equivocation and misunderstanding in the conversation between Mr. Craxi and Mr. Reagan (not in the conversation between Mr. Shultz and myself, when we only spoke about the 4 men).
- A little confusion in the contacts. The Foreign Affairs Ministry was by-passed through direct contacts with the President of the Council of Ministers, and the Ministry for Internal Affairs (Attorney General and Mr. Scalfaro), ecc - Not a good method.
- On thursday 10, at 8 p.m., the Judge had authorized the departure of the Egyptian plane from Sigonella. Mr Abbas, who was on board the plane, refused to speak to anyone. Mr. Craxi sent his diplomatic advisor, who listened to his declarations (the men did not belong to his group; he learned of the attack only after it was made, when Mr. Arafat sent him to Egypt).
- Since the Americans had announced they were sending us documents containing evidence against Abbas, it was decided not to allow him to leave Italy, but to transfer him to Rome.
- On Saturday 12, at 5.30 a.m., the US Ambassador goes to the home of the Officer responsible for the Legislative Office of the Ministry of Justice and submits to him the request for the provisional arrest of Mr. Abbas, according to the provisions of the Agreement between Italy and the USA. After a short time, the Legislative Office staff meets, and then they transfer to

the Presidency of the Council of Ministers.

- From Cairo President Mubarak sends strong protests; and meanwhile he withholds the departure of the Achille Lauro
- Hostile public manifestations occur- Also the crew, stressed by the events, are losing their self-control-
- Around 12 noon, the Minister of Justice, consulted by his staff after it has examined the documents submitted, publicly states the answer based on Juridical grounds : "The Ministry of Justice deems that the request for the provisional arrest does not contain substantial elements consistent with the criteria set forth by our laws relating to the acquisition and submittance of evidence"-
- At this point, the withholding of the plane and of its passengers becomes ever more illegitimate- Moreover - through the juridical standpoint is the one that bears the major weight - The risk is that of seriously jeopardizing the moderate position of Egypt towards the West.
- After 3 p.m., the US and Egyptian Ambassadors are notified that the plane has given permission to leave- The Egyptians deeply fear new interceptions and even to be shot down while in flight. This is when Egypt might have decided to make the "guests" leave with another civil plane. It was ascertained that the two Palestinians had never left the plane.
- The morning of Sunday 13, Ambassador Rabb submits to Andreotti (who, as always, receives him immediately as soon as requested to do so) the requests of the extradition and the provisional arrest for the 4 men, along with the protests for the departure of Abbas.
- Andreotti recommends great moderation in the public declarations also so as to avoid that the polemics on Sigonella (Comiso) become forcedly public he assures that :
 - 1) the Italian Judges are already proceeding against the 4 men, which were recognized by 21 testimonies given by the passengers who were on board the ship.

- 2) Should valid elements of proof emerge for extending the charges also others, there will be no hesitation to do so.
- 3) The extradition request however, will be considered according to the procedures prescribed.

In expressing the deep felt sorrow for the death of a US citizen, it cannot be forgotten that 744 passengers (out of whom only 152 Italians ,and 74 were US nationals), were able to be freed after only 48 hours, from the danger of that nightmare.

The security of the cruise ship and yachts has proven to be inefficient. Studies on adequate measures have immediately been undertaken.